

15CV1030

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IN THE CIRCUIT COURT OF THE STATE OF OREGON

5

FOR THE COUNTY OF MALHEUR

6 NICHOLAS JAMES MCGUFFIN,

Case No. 15CV1030

7 Petitioner,

ORDER

8 v.

POST CONVICTION

9 MARK NOOTH, Superintendent,
Snake River Correctional Institution,

ORS 20.140 - State fees deferred at filing

10 Defendant

11
12 This matter having come before the court on defendant's Motion to Compel and the court
13 being fully advised;

14 NOW, THEREFORE, IT IS ORDERED that defendant's motion is hereby

15 X Granted, and Shaun McCrea is required to provide answers at her
16 deposition scheduled for June 26, 2019, to questions relevant to the claims in petitioner's
17 operative Petition for Post-Conviction Relief and production of relevant documents to the
18 defendant. Shaun McCrea's testimony and documents protected by client confidentiality,
19 attorney-client privilege, and/or work product protection shall be subject to the protective order
20 previously entered in this case.

21 _____ Denied.

22

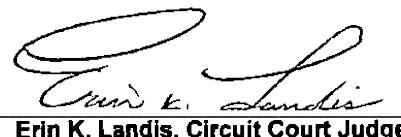
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25 Submitted by: Paul Reim
26 Assistant Attorney General
Attorneys for Defendant

Page 1 - ORDER

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Erin K. Landis
Circuit Court Judge

Signed: 6/7/2019 07:33 AM

Department of Justice
1162 Court Street NE
Salem, OR 97301-4096
(503) 947-4700 / Fax: (503) 947-4794

Exhibit 5, Page 1 of 3

CERTIFICATE OF READINESS

This proposed **ORDER** is ready for judicial signature because:

3 1. [] Each party affected by this order or judgment has stipulated to the order or
4 judgment, as shown by each opposing party's signature on the document being submitted.

5 2. [x] Each party affected by this order or judgment has approved the order or judgment,
6 as shown by each party's signature on the document being submitted or by written confirmation
7 of approval sent to me.

8 3. [] I have served a copy of this order or judgment on each party entitled to service
9 and:

10 a. [] No objection has been served on me.

11 b. [] I received objections that I could not resolve with a party despite
12 reasonable efforts to do so. I have filed a copy of the objections I received and indicated which
13 objections remain unresolved.

14 c. [] After conferring about objections, [role and name of objecting party]
15 agreed to independently file any remaining objection.

16 4. [] Service is not required pursuant to subsection (3) of this rule, or by statute, rule,
17 or otherwise.

18 5. [] This is a proposed judgment that includes an award of punitive damages and
19 notice has been served on the Director of the Crime Victims' Assistance Section as required by
20 subsection (5) of this rule.

21 6. [] Other: _____

22 DATED this 5 day of June, 2019.

s/ Paul Reim
PAUL REIM #983300
Assistant Attorney General
Trial Attorney
Tel (503) 947-4700
Fax (503) 947-4794
Paul.Reim@doj.state.or.us
Attorneys for Defendant

CERTIFICATE OF SERVICE

I certify that on June 5, 2019, I served the foregoing ORDER upon the parties hereto by the method indicated below, and addressed to the following:

5 Ryan T. O'Connor
O'Connor Weber
6 1500 SW 1st Ave. Ste. 1090
Portland, OR 97201

HAND DELIVERY
 MAIL DELIVERY
 OVERNIGHT MAIL
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8 Steven T. Wax
9 Janis C. Puracal
10 Forensic Justice Project
11 333 S.W. Taylor St., Suite 403
12 Portland, OR 97204

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